

Appl. No. 09/904,360  
Ammdt. dated December 17, 2004  
Reply to Office action of September 21, 2004

Remarks/Arguments:

Reconsideration of the application is requested.

Claims 1-21 remain in the application. Claim 1 has been amended. Support for the amendment to claim 1 is found on page 5, lines 14-20, of the specification.

The amendment to claim 1 responds to the rejection of several claims as being anticipated by or obvious over Kameyama et al. (US 5,296,388, "Kameyama") under 35 U.S.C. §§ 102 and 103. The reference does not belong to the art of MOS transistors and/or to a method of producing a MOS transistor. The claims, as amended, are patentable over the art of record.

Kameyama discloses a process of forming NPN (bipolar) transistors. That is, the reference does not deal with MOS transistors. The entire description, instead, deals with NPN transistors. See, for instance, Figs. 1-4, col. 7, l. 57-63. Claim 1 is, therefore, not anticipated.

Claim 1 is also not obvious over Kameyama or any combination of record. Kameyama neither mentions nor suggests applying that production process or sequence to doping for a MOS transistor. Since the reference is concerned with NPN

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transistors, Kameyama is not concerned with "steep, retrograde doping profiles or delta doping profiles" that are required for MOS transistors. Specification, page 3, lines 7-8.

Furthermore, we agree with the Examiner's comment concerning claim 21, namely, that the prior art does not teach "a polycrystalline or amorphous layer on a doped surface" (i.e., the result of steps 2 and 3 of claim 1), and a "heat treatment to produce a MOS transistor." These reasons for the allowance of claim 21 are equally applicable to claim 1.

It is accordingly believed to be clear that neither Kameyama nor any other reference, whether taken alone or in any combination, either show or suggest the features of claim 1. Claim 1 is, therefore, patentable over the art and since all of the dependent claims are ultimately dependent on claim 1, they are believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of claims 1-21 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel respectfully requests a telephone call so that, if possible, patentable language can be worked out.

12-17-04 14:56 FROM-Lerner & Greenberg

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If an extension of time for this paper is required, petition  
for extension is herewith made.

Please charge any fees which might be due with respect to  
Sections 1.16 and 1.17 to the Deposit Account of Lerner &  
Greenberg P.A., No. 12-1099.

Respectfully submitted,

  
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